IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of

Douglas Carl Bacon, et al

Application No.: 10/629,295   Examiner: Joseph, Tonya S.

Filed: July 29, 2003   Art Unit 3628
For: METHODS AND SYSTEMS FOR
GENERATING A FINANCIAL REPORT

BRIEF ON APPEAL

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TABLE OF CONTENTS

I.   <u>REAL PARTY IN INTEREST</u>

The real party in interest for this appeal and the present application is General Electric Company, by way of an Assignment recorded in the U.S. Patent and Trademark Office at Reel 014366, Frame 0046.

II.   RELATED APPEALS AND INTERFERENCES

There are no prior or pending appeals, interferences or judicial proceedings, known to Appellant, Appellant's representative, or the Assignee, that may be related to, or that will directly affect or be directly affected by or have a bearing upon, the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 10-27 are on appeal.

Claims 1-27 are pending.

Claims 10-27 are rejected.

Claims 1-9 have been withdrawn by the Examiner.

IV. **STATUS OF AMENDMENTS**

No amendments have been filed after the final rejection dated August 31, 2010.

V.   SUMMARY OF CLAIMED SUBJECT MATTER

The following summary correlates claim elements to specific embodiments described in the application specification, but does not in any manner limit claim interpretation. Rather, the following summary is provided only to facilitate the Board's understanding of the subject matter of this appeal.

A.   Independent Claim 10

Claim 10 is directed to a network based system for maintaining at least one component, said system comprising: a client system (page 2, line 11); a centralized database for storing information (page 2, lines 11 and 12; and page 7 lines 8-14); a server system configured to be coupled to said client system and said database (page 2, lines 12 and 13; and page 5 line 31 to page 6, line 29), said server system further configured to: receive, at the database, component operational history data and component inspection data from a user for a pre-identified component (page 2, lines 11-15; and page 7 lines 8-18); receive, at the database, a customer expectation of contingency fees and service prices from a user (page 8, lines 12-15; and page 9, lines 18-24); receive, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component (page 2, lines 15-17; and page 7, lines 10-14); prompt a user to input a pre-determined component operational forecast into the database (page 2, lines 17 and 18; page 7, lines 13 and 14; and page 11, lines 2-9); receive, from the user, a number of inspection intervals for component parts (page 7, lines 13 and 14; and page 11, lines 2-9), and based on the number of inspection intervals for each component part, adjust a quantity of input entries for repair work for each component part (page 8, line 26 to page 9, line 16); determine whether the user input all information necessary to generate a financial report (page 9, lines 26-30); present an error message to the user and halt execution

if it is determined that not all information necessary to generate a financial report was input (page 9, lines 26-30); analyze component maintenance information including component inspection data and at least one of component operational history data, customer expectation of contingency fees and service prices, replacement part costs, part repair costs, vendor service costs, and component operational forecast (page 2, lines 18-21; and page 7, lines 14-17); and automatically generate a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis (page 2, lines 21-23; page 7, lines 17-25; and page 12, lines 8-12).

B.   Independent Claim 19

Claim 19 is directed to a computer program embodied on a computer readable medium for maintaining at least one component (page 2, lines 25 and 26), said program comprising a code segment that receives, at a database, component operational history data and component inspection data from a user for a pre-identified component (page 2, lines 27-29; and page 7 lines 8-18) and then: receives, at the database, a customer expectation of contingency fees and service prices from a user (page 2, lines 29 and 30; page 8, lines 12-15; and page 9, lines 18-24); receives, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component (page 2, lines 29 and 30; and page 8, lines 2-7); prompts a user to input a pre-determined component operational forecast into the database (page 2, lines 31 and 32; page 7, lines 13 and 14; and page 11, lines 2-9); receives, from the user, a number of inspection intervals for component parts (page 7, lines 13 and 14; and page 11, lines 2-9), and based on the number of inspection intervals for each component part,

6

adjust a quantity of input entries for repair work for each component part (page 8, line 26 to page 9, line 16); determines whether the user has input all necessary information in order to generate a financial report (page 9, lines 26-30); presents an error message to the user and halts execution if it is determined that not all necessary information to generate a financial report was input (page 9, lines 26-30); analyzes component maintenance information including component inspection data and at least one of component operational history data, customer expectation of contingency fees and service prices, replacement part costs, part repair costs, vendor service costs, and component operational forecast (page 2, line 32 to page 3, line 1; and page 7, lines 14-17); and automatically generates a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis (page 3, lines 2-4; page 7, lines 17-25; and page 12, lines 8-12).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The following grounds of rejection are presented for review:

Claims 10, 13, 14, 17-19, 22, 23, 26, and 27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2001/0032109 to Gonyea et al. (hereinafter referred to as "Gonyea") in view of U.S. Publication No. 2002/0016655 to Joao et al. (hereinafter referred to as "Joao"), and further in view of U.S. Publication No. 2002/0161533 to Uegaki, U.S. Publication No. 2001/0054022 to Louie et al. (hereinafter referred to as "Louie"), and U.S. Publication No. 2003/0097288 to Shimomura et al. (hereinafter referred to as "Shimomura");

Claims 11 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Gonyea in view of Joao, further in view of Uegaki, Louie, and Shimomura, and further in view of U.S. Pub. No. 2002/20059269 to McQuown et al. (hereinafter referred to as "McQuown");

Claims 12 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Gonyea in view of Joao, further in view of Uegaki, Louie, and Shimomura, and further in view of U.S. Publication No. 2001/0014868 to Herz et al. (hereinafter referred to as "Herz") and JP 2002-149861 to Tsunoda et al. (hereinafter referred to as "Tsunoda");

Claims 15 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Gonyea in view of Joao, further in view of Uegaki, Louie, and Shimomura, and further in view of U.S. Publication No. 2003/0084019 to Woodmansee (hereinafter referred to as "Woodmansee"); and

Claims 16 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Gonyea in view of Joao, further in view of Uegaki, Louie, Shimomura, and Woodmansee, and further in view of the Examiner's Official Notice.

VII. ARGUMENT

A. Rejection of Claims 10, 13, 14, 17-19, 22, 23, 26, and 27 under 35 U.S.C. § 103(a)

1) None of the Applied References, Alone or in Combination, Describe or Render Obvious the Features Recited in Claim 10

No combination of Gonyea, Joao, Uegaki, Louie, and Shimomura describes nor suggests receiving, from a user, a number of inspection intervals for component parts, and based on the number of inspection intervals for each component part, adjusting a quantity of input entries for repair work for each component part, as is recited in independent Claim 10.

As acknowledged by the Examiner, none of Gonyea, Joao, Uegaki, and Louie describe nor suggest receiving, from a user, a number of inspection intervals for component parts, and based on that user input, adjust a quantity of input entries. However, the Examiner relied on Shimomura as allegedly describing this feature. For example, in the "Response to Arguments" section of the final Office Action, the Examiner asserts that Shimomura describes a server system that receives, from a user, a number of inspection intervals for component parts, and based on the number of inspection intervals for each component part, adjusts a quantity of input entries for repair work for each component part. Applicants respectfully disagree.

In particular, the Examiner points to paragraph [0019] of Shimomura as allegedly describing this feature. Paragraph [0019] recites:

> [I]n the above configuration, when the inspection schedule data of
> the plant equipment stored in the inspection schedule database has
> been modified, the parts order request means may determine, for
> each device to be inspected indicated by the modified inspection
> schedule data, whether it is necessary to change contents of an order
> request in the case where the inspection type of the device is "part
> replacement", and if it is determined that it is necessary to change
> the contents, the parts order request means may prepare an order

contents change request for the parts order request and transmit it to
the predetermined terminal.

As such, Shimomura describes that a parts order request is prepared by a parts order request means based on each device to be inspected when part replacement is required as an inspection type of a device, and preparing the parts order request for supplying a part specified by identification information by an estimated inspection start date of the device. Moreover, and, as recited in paragraph [0019], when an inspection schedule data is modified, it is determined whether it is necessary to change contents of an order request that includes a part replacement.

At best, Shimomura describes changing contents of an order request that includes a part replacement when an inspection schedule data has been modified. Shimomura is silent with respect to receiving, from a user, a number of inspection intervals for component parts, and *based on the number of inspection intervals for each component part*, adjusting a quantity of input entries for repair work for each component part. Shimomura merely describing that "it is determined whether it is necessary to change contents of an order request that includes a part replacement" is not a sufficient description to provide one ordinary skilled in the art an ability to adjust a quantity of input entries for repair work for each component part *based on the number of inspection intervals for each component part*.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 10 is patentable over Gonyea in view of Joao, and further in view of Uegaki, Louie, and Shimomura.

Claims 13, 14, 17, and 18 depend from independent Claim 10. When the recitations of Claims 13, 14, 17, and 18 are considered in combination with the recitations of Claim 10,

Applicants respectfully submit that dependent Claims 13, 14, 17, and 18 likewise are patentable over Gonyea in view of Joao, and further in view of Uegaki, Louie, and Shimomura.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 10, 13, 14, 17, and 18 be withdrawn.

>   2)   *None of the Applied References, Alone or in Combination, Describe or Render Obvious the Features Recited in Claim 19*

No combination of Gonyea, Joao, Uegaki, Louie, and Shimomura describes nor suggests a program that includes a code segment that receives, from a user, a number of inspection intervals for component parts, and based on the number of inspection intervals for each component part, adjusts a quantity of input entries for repair work for each component part, as is recited in independent Claim 19.

As acknowledged by the Examiner, none of Gonyea, Joao, Uegaki, and Louie describe nor suggest receiving, from a user, a number of inspection intervals for component parts, and based on that user input, adjust a quantity of input entries. However, the Examiner relied on Shimomura as allegedly describing this feature. For example, in the "Response to Arguments" section of the final Office Action, the Examiner asserts that Shimomura describes a server system that receives, from a user, a number of inspection intervals for component parts, and based on the number of inspection intervals for each component part, adjusts a quantity of input entries for repair work for each component part. Applicants respectfully disagree.

In particular, the Examiner points to paragraph [0019] of Shimomura as allegedly describing this feature. Paragraph [0019] recites:

> [I]n the above configuration, when the inspection schedule data of
> the plant equipment stored in the inspection schedule database has
> been modified, the parts order request means may determine, for
> each device to be inspected indicated by the modified inspection
> schedule data, whether it is necessary to change contents of an order
> request in the case where the inspection type of the device is "part
> replacement", and if it is determined that it is necessary to change
> the contents, the parts order request means may prepare an order
> contents change request for the parts order request and transmit it to
> the predetermined terminal.

As such, Shimomura describes that a parts order request is prepared by a parts order request means based on each device to be inspected when part replacement is required as an inspection type of a device, and preparing the parts order request for supplying a part specified by identification information by an estimated inspection start date of the device. Moreover, and, as recited in paragraph [0019], when an inspection schedule data is modified, it is determined whether it is necessary to change contents of an order request that includes a part replacement.

At best, Shimomura describes changing contents of an order request that includes a part replacement when an inspection schedule data has been modified. Shimomura is silent with respect to receiving, from a user, a number of inspection intervals for component parts, and *based on the number of inspection intervals for each component part*, adjusting a quantity of input entries for repair work for each component part. Shimomura merely describing that "it is determined whether it is necessary to change contents of an order request that includes a part replacement" is not a sufficient description to provide one ordinary skilled in the art an ability to adjust a quantity of input entries for repair work for each component part *based on the number of inspection intervals for each component part*.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claims 10 and 19 are patentable over Gonyea in view of Joao, and further in view of Uegaki, Louie, and Shimomura.

Claims 22, 23, 26, and 27 depend from independent Claim 19. When the recitations of Claims 22, 23, 26, and 27 are considered in combination with the recitations of Claim 19, Applicants respectfully submit that dependent Claims 22, 23, 26, and 27 likewise are patentable over Gonyea in view of Joao, and further in view of Uegaki, Louie, and Shimomura.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 19, 22, 23, 26, and 27 be withdrawn.

B.   Rejection of Claims 11 and 20 under 35 U.S.C. § 103(a)

Claims 11 and 20 depend from independent Claims 10 and 19, respectively. As such, When the recitations of Claims 11 and 20 are considered in combination with the recitations of Claims 10 and 19, Applicants submit that dependent Claims 11 and 20 are patentable over Gonyea in view of Joao, and further in view of Uegaki, Louie, Shimomura, and McQuown.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 11 and 20 be withdrawn.

C.   Rejection of Claims 12 and 21 under 35 U.S.C. § 103(a)

Claims 12 and 21 depend from independent Claims 10 and 19, respectively. As such, when the recitations of Claims 12 and 21 are considered in combination with the recitations of Claims 10 and 19, Applicants submit that dependent Claims 12 and 21 patentable over Gonyea in view of Joao, and further in view of Uegaki, Louie, Shimomura, Herz, and Tsunoda.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 12 and 21 be withdrawn.

D.   Rejection of Claims 15 and 24 under 35 U.S.C. § 103(a)

Claims 15 and 24 depend from independent Claims 10 and 19, respectively. As such, when the recitations of Claims 15 and 24 are considered in combination with the recitations of Claims 10 and 19, Applicants submit that dependent Claims 15 and 24 are patentable over Gonyea in view of Joao, and further in view of Uegaki, Louie, Shimomura, and Woodmansee.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 15 and 24 be withdrawn.

E.   Rejection of Claims 16 and 25 under 35 U.S.C. § 103(a)

Claims 16 and 25 depend from independent Claims 10 and 19. As such, when the recitations of Claims 16 and 25 are considered in combination with the recitations of Claims 10 and 19, Applicants respectfully submit that dependent Claims 16 and 25 are patentable over Gonyea in view of Joao, and further in view of Uegaki, Louie, Shimomura, Woodmansee, and Official Notice.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 16 and 25 be withdrawn.

VIII. <u>CONCLUSION</u>

For all of the reasons discussed above, it is respectfully submitted that the rejections are in error and that Claims 10-27 are in condition for allowance. For all of the above reasons, Appellants respectfully request this Honorable Board to reverse the rejections of Claims 10-27.

Respectfully submitted,

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APPENDIX A - CLAIMS APPENDIX

CLAIMS INVOLVED IN THE APPEAL:

10.   A network based system for maintaining at least one component, said system comprising:

a client system;

a centralized database for storing information;

a server system configured to be coupled to said client system and said database, said server system further configured to:

receive, at the database, component operational history data and component inspection data from a user for a pre-identified component;

receive, at the database, a customer expectation of contingency fees and service prices from a user;

receive, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component;

prompt a user to input a pre-determined component operational forecast into the database;

receive, from the user, a number of inspection intervals for component parts, and based on the number of inspection intervals for each component part, adjust a quantity of input entries for repair work for each component part;

determine whether the user input all information necessary to generate a financial report;

present an error message to the user and halt execution if it is determined that not all information necessary to generate a financial report was input;

analyze component maintenance information including component inspection data and at least one of component operational history data, customer expectation of contingency fees and service prices, replacement part costs, part repair costs, vendor service costs, and component operational forecast; and

automatically generate a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis.

11. A network based system in accordance with Claim 10 wherein said server system is configured to receive component replacement part costs, component part repair costs, and vendor service costs associated with the identified component from an on-line catalog selected based on the component identification, the online catalog comprising pre-stored data for a plurality of pre-identified components.

12. A network based system in accordance with Claim 10 wherein said server system is configured to:

determine component maintenance event contingency fees;

determine a customer cost discount level for replacement parts and vendor fees.

13. A network based system in accordance with Claim 10 wherein said server system is configured to compute a schedule for maintenance events based on at least one of estimated life of replacement parts, estimated life of repaired parts, component operational history, component operational forecast and a predetermined maintenance event interval.

14. A network based system in accordance with Claim 13 wherein said server system is configured to determine a part repair cycle.

15. A network based system in accordance with Claim 10 wherein said server system is configured to:

prompt a user to input an age of a plurality of parts installed in the component;

prompt a user to input an age of the component parts in inventory;

determine, from the schedule of maintenance events, the age of each of the plurality of installed parts and the age of each of the plurality of inventory parts at each maintenance event; and

display an identification of each part whose age at each scheduled maintenance event exceeds a predetermined age.

16. A network based system in accordance with Claim 15 wherein the identification of the component includes a frame size and a combustion type, said server system is configured to:

access a predetermined on-line catalog using the frame size and combustion type, the catalog including new parts costs, parts repair costs, and part expected life; and

recommend an inspection interval and an estimate of remaining parts life based on an inputted gas component frame size and combustion type.

17. A network based system in accordance with Claim 10 wherein the component is one of a plurality of components in a fleet of components, said server system is configured to:

automatically compute a projected rotation of component parts through a fleet of components;

remove selected parts from an inventory;

repair the component using the selected parts;

automatically orders replacement parts for purchase; and

replenish the inventory using the replacement parts.

18. A network based system in accordance with Claim 10 wherein said server system is configured to automatically compute the financial charges accrued during the maintenance event using the component replacement part costs, the component part repair costs, and the vendor service costs associated with the maintenance event.

19. A computer program embodied on a computer readable medium for maintaining at least one component, said program comprising a code segment that receives,

at a database, component operational history data and component inspection data from a user for a pre-identified component and then:

receives, at the database, a customer expectation of contingency fees and service prices from a user;

receives, at the database, costs comprising at least one of component replacement part costs, component part repair costs, and vendor service costs, the costs are associated with the pre-identified component and are determined using pre-stored costs related to the pre-identified component;

prompts a user to input a pre-determined component operational forecast into the database;

receives, from the user, a number of inspection intervals for component parts, and based on that user input the number of inspection intervals for each component part, adjust a quantity of input entries for repair work for each component part;

determines whether the user has input all necessary information in order to generate a financial report;

presents an error message to the user and halts execution if it is determined that not all necessary information to generate a financial report was input;

analyzes component maintenance information including component inspection data and at least one of component operational history data, customer expectation of contingency fees and service prices, replacement part costs, part repair costs, vendor service costs, and component operational forecast; and

automatically generates a financial report including at least one schedule of component maintenance events and costs associated with each event based on the component maintenance information analysis.

20.   A computer program in accordance with Claim 19, said program comprising a code segment that receives component replacement part costs, component part repair costs, and vendor service costs associated with the identified component from an on-line catalog

selected based on the component identification, the online catalog comprising pre-stored data for a plurality of pre-identified components.

21. A computer program in accordance with Claim 19, said program comprising a code segment that:

determines component maintenance event contingency fees;

determines a customer cost discount level for replacement parts and vendor fees.

22. A computer program in accordance with Claim 19, said program comprising a code segment that computes a schedule for maintenance events based on at least one of estimated life of replacement parts, estimated life of repaired parts, component operational history, component operational forecast and a predetermined maintenance event interval.

23. A computer program in accordance with Claim 22, said program comprising a code segment that determines a part repair cycle.

24. A computer program in accordance with Claim 19, said program comprising a code segment that:

prompts a user to input an age of a plurality of parts installed in the component;

prompts a user to input an age of the component parts in inventory;

determines, from the schedule of maintenance events, the age of each of the plurality of installed parts and the age of each of the plurality of inventory parts at each maintenance event; and

displays an identification of each part whose age at each scheduled maintenance event exceeds a predetermined age.

25. A computer program in accordance with Claim 24, said program comprising a code segment that:

accesses a predetermined on-line catalog using the component frame size and combustion type, the catalog including new parts costs, parts repair costs, and part expected life; and

recommends an inspection interval and an estimate of remaining parts life based on an inputted gas component frame size and combustion type.

26.   A computer program in accordance with Claim 19 wherein the component is one of a plurality of components in a fleet of components, said program comprising a code segment that:

automatically computes a projected rotation of component parts through a fleet of components;

removes selected parts from an inventory;

repairs the component using the selected parts;

automatically orders replacement parts for purchase; and

replenishes the inventory using the replacement parts.

27.   A computer program in accordance with Claim 19 wherein said server system is configured to automatically compute the financial charges accrued during the maintenance event using the component replacement part costs, the component part repair costs, and the vendor service costs associated with the maintenance event.

APPENDIX B - EVIDENCE APPENDIX

NONE

APPENDIX C- RELATED PROCEEDINGS APPENDIX

NONE